

74 Cases—Series of quiet title actions which established the plaintiffs' western boundary at the Western Boundary of Upland Ownership (WBUO) and generally awarded accreted lands lying westerly of the WBUO to the state of Washington.

Tidal Datum—A base elevation defined by a certain phase of the tide and used as a reference from which local heights and depths are reckoned.

Tidelands—Lands subject to the ebb and flow of the tide.

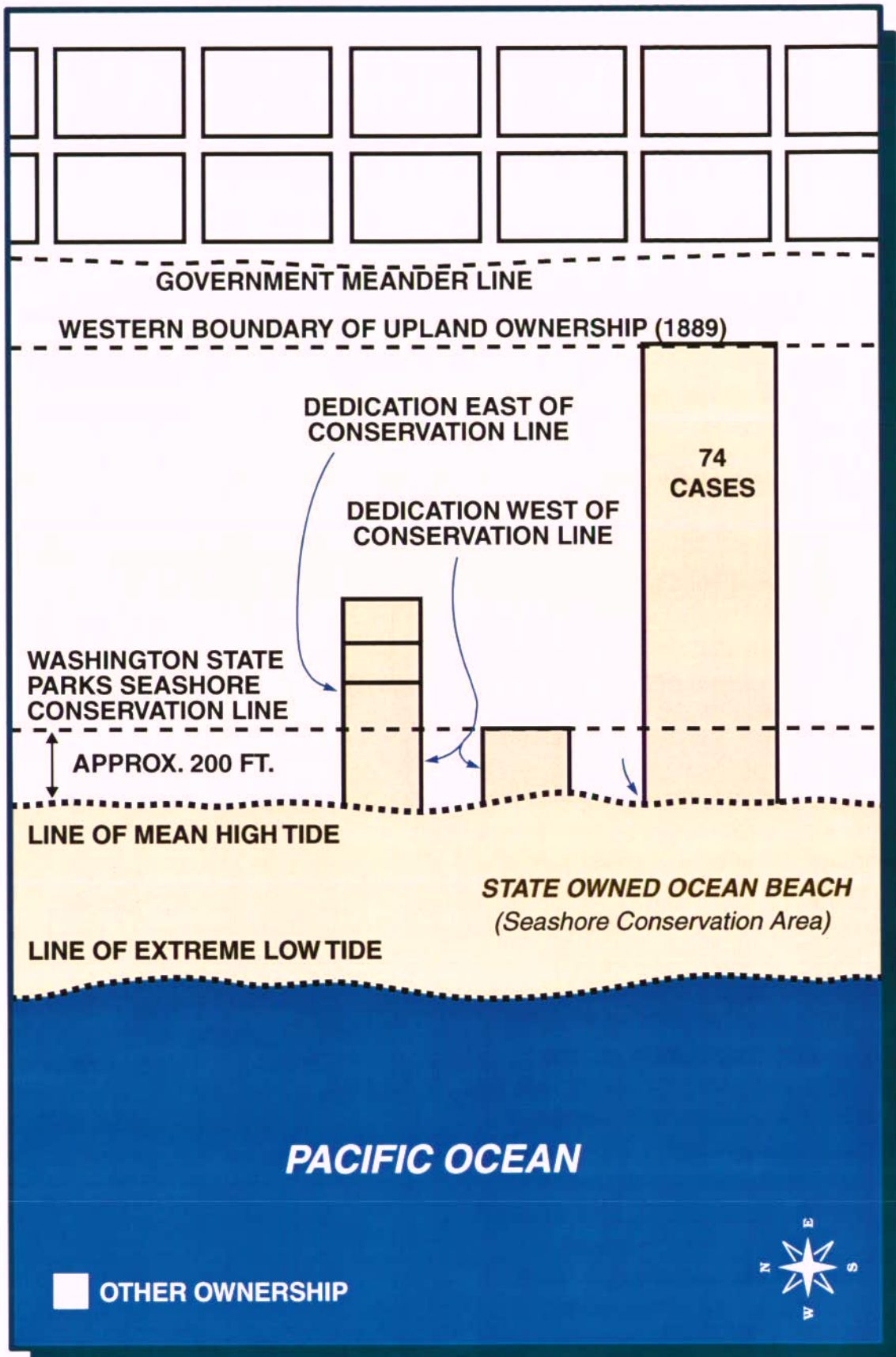
26 Cases—Series of cases adjudicated upon Hughes and awarding accreted lands to mean high water to the adjacent upland owner.

Uplands—Lands lying above mean high water.

Washington Coordinate System—This is the state grid system which is superimposed on the graticule of a projection (Lambert Conformal Conic) in such a way that there is a precise mathematical relationship between the grid lines and the graticule. Every grid intersection has a unique relationship to every graticule intersection, and every point on the map has a unique latitude and longitude, plus a unique location expressed in values of X and Y on the selected grid. Grid systems reduce computations of distances, directions, coordinates

and areas to the realm of plane trigonometry. There is a coordinate system for each of the 50 states.

Western Boundary of Upland Ownership (WBUO)—A line established by the Commissioner of Public Lands in 1948 and upheld by legal precedent as representing the Line of Ordinary High Tide as of statehood in 1889. Also referred to as the Line of 1889, or the Coordinate Line of 1948, or the 1889 Ordinary High Tide Line. [Note: see diagram previous page.]



The 19 Cases—Part of the “74 Cases”; on these parcels the state did not counterclaim to quiet title in the state to the accretions; these 19 cases merely quieted title in the plaintiffs to the Western Boundary of Upland Ownership (WBUO).

Ordinary High Tide—Judicially interpreted as meaning the same thing as mean high water (Hughes). It was also judicially interpreted as meaning the “line of vegetation” in Harkins v. Del Possi (1957).

Pacific County Monumented Grass-Line Control Traverse—Official, surveyed line established as a permanent reference line by Pacific County to aid in determination and establishment of the westerly line of vegetation (grassline).

Seashore Conservation Area—Areas established by legislative act as follows:
“RCW 79A.05.605 *Seashore Conservation Area—Established. There is established for the recreational use and enjoyment of the public the Washington State Seashore Conservation Area. It shall include all lands now or hereafter under state ownership or control lying between Cape Disappointment and Leadbetter Point; between Toke Point and the South Jetty on Point Chehalis; and between Damon Point and the Makah Indian Reservation and occupying the area between the line of ordinary high tide and the line of extreme low tide, as these lines now are or may hereafter be located, and, where applicable, between the Seashore Conservation Line, as established by survey of the Washington State Parks and Recreation Commission and the line of*

extreme low tide, as these lines now are or may hereafter be located; and shall also include all state-owned nontrust accreted lands along the ocean: Provided, that no such conservation area shall include any lands within the established boundaries of any Indian reservation.”

[Note: all areas north of the Quinault Indian Reservation are owned by the federal government as part of Olympic National Park, and are therefore not part of the SCA. Likewise, the state does not own all the land lying between the SCL and ordinary high tide.]

Seashore Conservation Line—While not explicitly defined in the RCWs, the SCL has been established in reference to the “line of vegetation.” A movable boundary, the line of vegetation is generally understood to mean “ordinary high tide.”

Established initially by survey of the Washington State Parks and Recreation Commission in 1968, the SCL was monumented approximately 100 feet east of the established line of vegetation largely for practical considerations (e.g., out of reach of the winter wave action.)

The SCL has been re-established in 1980, 1990, and 2001 by State Parks, set 200 feet easterly of the line of vegetation, for relevance to Shorelines Management Act regulations.

[Note: See also Seashore Conservation Area, and diagram next page.]

IV. GLOSSARY OF TERMS

Drawn from various Washington State Parks and Recreation Commission reports [see Works Cited, section VI.] and other sources as noted.

Accreted land—land accumulated by the deposition of sediment on riparian lands by the movement of water.

Coordinate Line of 1948—See Western Boundary of Upland Ownership.

Deed of Dedication—Legal instrument conveying certain rights of property usage usually, but not necessarily, to a public entity. In State Parks' contexts, a deed of dedication is granted to the Commission by the property owner for accreted lands in Pacific and Grays Harbor Counties, usually for property lying westerly of a Seashore Conservation Line. Less commonly, property lying east of an SCL is dedicated. Once dedicated, these lands then become part of the Seashore Conservation Area. [Note: for more information see diagram next page; also section I.D.]

Extreme Low Tide—Minimum height reached by the falling tide. [Note: see diagram next page.]

Government Lots—Irregularly shaped parcels of land, usually fronting on water, which can not practically be divided into sections under government survey. [Talmo]

Government Meander Line—The traverse of the margin of a permanent natural body of water, run not as boundary line, but for the purpose of defining the sinuosities of the bank or shoreline. [Note: see diagram next page.]

Grass Line—See Line of Vegetation.

Hughes Case—Hughes v. State, 389 U.S. 290, 88 S.Ct. 438, 19 L.ed. 530 (1967), a civil case heard by U.S. Supreme Court which resulted in landmark decision awarding accreted lands to current ordinary high tide to the upland owner, provided that owner could prove patent to the land prior to Washington statehood.

Line of 1889—See Western Boundary of Upland Ownership (WBUO).

Line of Vegetation—At the approximate westerly limit of established growth of one of the two dominant species present above high tide (European and American Beachgrass); established in areas of moving and accumulating sand (*i.e.*, the foredunes); and readily identifiable in the field. [Note: This definition was adopted by consensus of the Technical Advisory Group and State Parks staff involved in the Seashore Conservation Line Survey 2000-01 Project.]

Mean High Water (Tide)—Tidal datum that is the arithmetic mean of the high water heights observed over a specific 19-year Metonic cycle (the National Tidal Datum Epoch). Often referred to as Ordinary High Tide. [Note: see diagram next page.]